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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/714,725	11/16/2000	Gerald Francis McBrearty	AUS9-2000-0748-US1	9481

7590 07/26/2006

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EXAMINER

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ART UNIT	PAPER NUMBER
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2145

DATE MAILED: 07/26/2006

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**BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES**

Application Number: 09/714,725
Filing Date: November 16, 2000
Appellant(s): MCBREARTY ET AL.

Gerald F. McBrearty et al.
For Appellant

EXAMINER'S ANSWER

This is in response to the appeal brief filed 04/04/2006 appealing from the Office action mailed 10/31/2006.

(1) *Real Party in Interest*

A statement identifying the real party in interest is contained in the brief.

Related Appeals and Interferences

A statement identifying the related appeals and interferences, which will directly affect or be directly affected by or have a bearing on the decision in the pending appeal is contained in the brief.

(2) *Status of Claims*

The statement of the status of the claims contained in the brief is correct.

(3) *Status of Amendments After Final*

There is no amendment after final.

Summary of Invention

The summary of invention contained in the brief is correct.

Issues

The appellant's statement of the issues in the brief is correct.

(4) *Claims Appealed*

The copy of the appealed claims contained in the Appendix to the brief is correct.

(9) *Prior Art of Record*

Bauersfeld et al. . (US 6,195,679)

Nielsen (US 6,021,435)

(10) *Grounds of Rejection*

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for

patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-4, 6-11, 13-18 and 20-21 are rejected under 35 U.S.C. 102(e) as being clearly anticipated by Bauersfeld et al, Pat. No. 6,195,679.

1. Per claims 1-3, Bauersfeld discloses a system and method for recording and editing a web browsing session comprising:

a) means at a receiving display station for designating a received Web document as a starter document (a session navigation and recording system according to the invention provides an easily configurable system that records all of the web pages visited by the user within a session, allows the user to navigate through the recorded paths, and to edit and save the paths. The system additionally allows the user to record not only paths consisting of web pages, but also paths including email, macros, filters, search queries, and any object that can acted upon (e.g. application programs). An additional advantage is that the user automatically executes paths. see col 3, lines 1-9 and 45-47):

b) means for selecting a subsequently received Web document as a first next document (a session navigation and recording system according to the invention provides an easily configurable system that records all of the web pages visited by the user within a session, allows the user to navigate through the recorded paths, and to edit and save the paths. The system additionally allows the user to record not only paths consisting of web pages, but also paths including email, macros, filters, search queries, and any object that can acted upon (e.g. application programs). An additional advantage is that the user automatically executes paths, col 3, lines 23-31);

c) means for creating a hyperlink in said starter document to said first next document, e.g. Forward button (uses a user-definable path system as equivalent to the applicant's Hyperlink that enables the user to create paths that include web pages, macros, filters, search queries, and any object that can be acted upon, such as application programs, mail messages, newsgroups and meetings. (the invention provides a session navigation

and recording system which uses an easily configured session recording system that automatically records all of the web pages that the user visits during a session and organizes them into paths. In addition, the invention uses a user-definable path system that enables the user to create paths that include web pages, macros, filters, search queries, and any object that can be acted upon, such as application programs, mail messages, newsgroups and meetings. The system automatically records every web page, document or piece of data that the user visits. This preserves the context of the paths and allows the user to view all of the paths traversed in a session. The session paths are placed in a file. The user navigates through the saved session paths using a session history toolbar. The toolbar allows the user to navigate through any selected session path and provides controls for backward, forward, pause, and record commands. The user with a time delay can automatically execute Sessions between each task. The invention enables the user to edit and display any session path. Pages may be marked for different levels of priorities and also for aging. Pages may be marked to expire within a certain time span or by a certain date. Further, the user creates a custom path comprised of web pages, macros, filters, search queries, email, and any object that can be acted upon, including other application programs. User defined paths may also be combined with all or part of a session path. The user-defined paths are executed in the same manner as session paths, col 1, lines 66-67 and col 2, lines 1-7) and

d) means for storing said starter and next documents at said receiving display station as a string of linked web documents (The system automatically records every web page, document or piece of data that the user visits. This preserves the context of the paths and allows the user to view all of the paths traversed in a session. The session paths are placed in a file. (the invention provides a session navigation and recording system which uses an easily configured session recording system that automatically records all of the web pages that the user visits during a session and organizes them into paths. In addition, the invention uses a user-definable path system that enables the user to create paths that include web pages, macros, filters, search queries, and any object that can be acted upon, such as application programs, mail messages, newsgroups and

meetings. The system automatically records every web page, document or piece of data that the user visits. This preserves the context of the paths and allows the user to view all of the paths traversed in a session. The session paths are placed in a file. The user navigates through the saved session paths using a session history toolbar. The toolbar allows the user to navigate through any selected session path and provides controls for backward, forward, pause, and record commands. The user with a time delay can automatically execute Sessions between each task. The invention enables the user to edit and display any session path. Pages may be marked for different levels of priorities and also for aging. Pages may be marked to expire within a certain time span or by a certain date. Further, the user creates a custom path comprised of web pages, macros, filters, search queries, email, and any object that can be acted upon, including other application programs. User defined paths may also be combined with all or part of a session path. The user-defined paths are executed in the same manner as session paths. Col 2, lines 8-12).

2. Per claim 4, Bauersfeld teaches providing visually distinct navigation buttons (e.g., Back, Forward) for access to the next documents (see col 4, lines 11-13).
3. Per claim 6, Bauersfeld teaches providing means for changing the order of the sequence of the next documents (see col 6, lines 32-40).
4. Per claim 7, it is noted that Bauersfeld teaches recording and editing a web browsing session using a web browser.
5. Claims 8-11, 13-18 and 20-21 are similar in scope as that of claims 1-4 and 6-7.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 5, 12 and 19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bauersfeld (US. Pat No. 6,195,679) and further in view of Nielsen (US. Pat No. 6,021,435).

Bauersfeld does not explicitly teach highlighting a link to the next document. The use of highlighting a hyperlink (or control button) is well known in the art as disclosed by Nielsen, see col 1, lines 66-67 and col 2, lines 1-4). The browser indicates the unavailability of a link by changing the appearance of a displayed link anchor. For example, while link anchors for available links may be displayed as underlined text with a highlight color, link anchors for unavailable links may be displayed as underlined text but in the default text color. The title of the target of a link may be displayed in a footer message whenever a cursor travels over the associated link anchor.

It would have been obvious to one of art at the time of the invention to ordinary skill in the art to utilize such hyperlink highlights in Bauersfeld because it would have helped users to locate such navigation controls/links in the document more easily.

(11) Response to Argument

The present claimed invention stores a tracked browsing session by starting with a starter received Web document, and then selecting a set of subsequently received Web documents as a set of subsequent or next documents using means for creating a hyperlink in each of the starter and next documents respectively to their next document in the set. The actual and received starter and next documents are stored at the receiving display station to thereby store a selected string of linked actual Web documents or pages at the receiving station.

Appellant on page 5 of the argument argues that the cited portion in Bauersfeld et al. fails to disclose means for creating a hyperlink in each of the starter and next documents respectively to their next document in the set. Examiner's reply: Modern Internet browsers allow users to navigate through websites easily. Most browsers

provide some type of device that enables the user to backtrack through previously visited web pages. This "history" function generally lasts throughout the time that a user instantiates the browser program until the point where the browser is terminated. This time period is what traditionally defines a "session." The session history function on browsers record the current navigation path of the user, i.e. it is a single-threaded path. Referring to FIG. 1, browsers 101 provide back 102 and forward 103 buttons which are used to traverse the path. Bauersfeld on Col 3, lines 1-9 discloses that a session navigation and recording system according to the invention provides an easily configurable system that records all of the web pages visited by the user within a session, allows the user to navigate through the recorded paths, and to edit and save the paths. The system additionally allows the user to record not only paths consisting of web pages, but also paths including email, macros, filters, search queries, and any object that can acted upon (e.g. application programs). An additional advantage is that the user automatically executes paths.

Appellant on page 6 argues that the Forward and Back buttons in the Tool Bar of Bauersfeld are not in any hypertext Web document in a sequence of Web documents. The same Forward and Back buttons are permanently fixed in the toolbar 401, 501, or 601. The toolbar is not a hypertext document. It is part of display station permanent Graphical User Interface. Examiner's reply: The current definition of a path is that it is a series of web pages. The invention extends this definition by adding any ordering of bookmarks, history, or other tasks through which a user can navigate. The global history function in most browsers only records the first and last dates visited for any page. This means that context information about the paths that the user took to get to any Universal Resource Locator (URL) is easily lost whenever a page is revisited. Users often bookmark pages to remedy this because they are afraid of losing the pages in case they need to return to them later in their session. The invention retains the context information of the paths that the user navigates. Referring to FIG. 3, the user first visits page A 301. The user then navigates to page B 302 and then to page C 303. The user backtracks to page B 305 and visits page D 307. The invention gives the user the ability to see that she traveled from page A 304 to page B 305 and then to page C 306. The user also sees

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the second path of page A 304 to page B 305 and then to page D 307. The invention keeps track of each page visited. This is represented in a tree or search dialog to the user.

Appellant on page 7 argues that the "Forward" button in its tool bar is a permanent object independent of the Web documents, and not created in any subsequently received Web document and creating a highlighted hyperlink in each- of- a starter and next documents respectively to their next document in a set.. Examiner's reply:

Bauersfeld in Col 1, lines 66-67 and Col 2, lines 1-23 disclose that the invention provides a session navigation and recording system which uses an easily configured session recording system that automatically records all of the web pages that the user visits during a session and organizes them into paths. In addition, the invention uses a user-definable path system that enables the user to create paths that include web pages, macros, filters, search queries, and any object that can be acted upon, such as application programs, mail messages, newsgroups and meetings. The system automatically records every web page, document or piece of data that the user visits.

This preserves the context of the paths and allows the user to view all of the paths traversed in a session. The session paths are placed in a file. The user navigates through the saved session paths using a session history toolbar. The toolbar allows the user to navigate through any selected session path and provides controls for backward, forward, pause, and record commands. The user with a time delay can automatically execute Sessions between each task. The invention enables the user to edit and display any session path. Pages may be marked for different levels of priorities and also for aging. Pages may be marked to expire within a certain time span or by a certain date. Further, the user creates a custom path comprised of web pages, macros, filters, search queries, email, and any object that can be acted upon, including other application programs. User defined paths may also be combined with all or part of a session path. The user-defined paths are executed in the same manner as session paths. For the above reasons, it is believed that the rejections should be sustained.

Respectfully Submitted

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Mitra Kianersi

July/10/2006

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